

Marcos L. Musquez #CVN338 / #05036797
885 N. San Pedro St.
San Jose, Calif 95110

United States District Court
Northern District of California
450 Golden Gate Ave.

San Francisco, Calif. 94102

Re: Case no. 07-cv-05966 - VRW

RECEIVED

JUL - 1 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

June 29, 2008

FILED

JUL - 1 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

To whom it may concern:

I write to you this letter regarding the enclosed civil matter. Per docket no. 10, the First Amended Complaint (hereafter FAC), was filed on 4-11-08. Docket # 9 was mistakenly filed but corrected. (See docket # 10)

The purpose of this letter is to convey to this Court the continuous mishandling of plaintiff's mail. Most recently, plaintiff has not received his subscription of San Jose Mercury News for the past seventy (70), plus days. This has cost plaintiff a monetary loss of \$150.00 dollars.


Without this Court first reviewing plaintiff's

FAC, and assuming this Court GRANTS plaintiff's FAC, I will continue to be exposed to further monetary loss.

I do not intend to "sit" on this civil matter but rather move for Summary Judgment immediately if this Court GRANTS the FAC. Although I have been a frequent litigant to this Court, I can assure you that the evidence I have is overwhelming and will try and negotiate a private settlement agreement with the County of Santa Clara as I have previously. See C-06-0760 VRW Marcus L. Musquez v. Capt. Wong et al.

I Thank you for your time.

Regards,

m. z. 
Marcos L. Musquez

E-Filing, ProSe

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:07-cv-05966-VRW
Internal Use Only**

Musquez v. Sepulveda et al
Assigned to: Hon. Vaughn R. Walker
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/27/2007
Jury Demand: None
Nature of Suit: 555 Prisoner: Prison
Condition
Jurisdiction: Federal Question

Plaintiff

Marcos L. Musquez

represented by **Marcos L. Musquez**
CVN338 / 05036797
885 North Pedro Street
San Jose, CA 95110
PRO SE

V.

Defendant

Captain D. Sepulveda
*Santa Clara County Dept. of
Corrections Facility Commander*

Defendant

Custodial Officer Ponce

Defendant

Custodial Officer Dominguez

Defendant

Custodial Officer Cortez

Defendant

Mailroom Clerks 1-4

Defendant

County of Santa Clara

Defendant

Custodial Officer Machado
in her individual and official capacity

Defendant**Custodial Officer #1979**

in his/her individual and official capacities

Date Filed	#	Docket Text
11/27/2007	<u>1</u>	COMPLAINT against D. Sepulveda, Ponce, Dominguez, Cortez, Mailroom Clerks 1-4, County of Santa Clara. Filed by Marcos L. Musquez. (IFPP) (gsa, COURT STAFF) (Filed on 11/27/2007) (Entered: 11/29/2007)
11/27/2007	<u>2</u>	MOTION for Leave to Proceed in forma pauperis filed by Marcos L. Musquez. (gsa, COURT STAFF) (Filed on 11/27/2007) (Entered: 11/29/2007)
11/27/2007	<u>3</u>	CLERK'S NOTICE re completion of In Forma Pauperis affidavit or payment of filing fee due within 30 days. (gsa, COURT STAFF) (Filed on 11/27/2007) (Entered: 11/29/2007)
11/27/2007	<u>3</u>	CASE DESIGNATED for Electronic Filing. (gsa, COURT STAFF) (Filed on 11/27/2007) (Entered: 11/29/2007)
12/10/2007	<u>4</u>	MOTION for Leave to Proceed in forma pauperis filed by Marcos L. Musquez. (gsa, COURT STAFF) (Filed on 12/10/2007) (Entered: 12/13/2007)
12/31/2007	<u>5</u>	Letter from Marcos L. Musquez requesting verification from the Court that the civil action filed on 12/20/2007 was served on the named defendants. (gsa, COURT STAFF) (Filed on 12/31/2007) (Entered: 01/02/2008)
03/11/2008	<u>6</u>	Letter from Marcos L. Musquez re Status of Case. (sv, COURT STAFF) (Filed on 3/11/2008) (Entered: 03/13/2008)
03/25/2008	<u>7</u>	ORDER OF DISMISSAL WITH LEAVE TO AMEND. Signed by Chief Judge Vaughn R Walker on 3/25/2008. (Attachments: # 1 Affidavit of Service)(cgk, COURT STAFF) (Filed on 3/25/2008) (Entered: 03/25/2008)
03/25/2008	<u>8</u>	ORDER by Judge Vaughn R Walker granting <u>2</u> <u>4</u> Motion for Leave to Proceed in forma pauperis. The total filing fee due at this time is \$2.80. (cgk, COURT STAFF) (Filed on 3/25/2008) (Entered: 03/25/2008)
04/04/2008	<u>9</u>	ERRONEOUS FILED DOCUMENT - COPY - See ORIGINAL - #10, First AMENDED COMPLAINT against Machado, Custodial Officer #1979, D. Sepulveda, Dominguez, Cortez, County of Santa Clara. Filed by Marcos L. Musquez. (sv, COURT STAFF) (Filed on 4/4/2008) Modified on 4/15/2008 (gsa, COURT STAFF). (Entered: 04/11/2008)
04/11/2008	<u>10</u>	FIRST AMENDED COMPLAINT against Machado, Custodial Officer

		#1979, D. Sepulveda, Ponce, Dominguez, Cortez, Mailroom Clerks 1-4, County of Santa Clara. Filed by Marcos L. Musquez. (gsa, COURT STAFF) (Filed on 4/11/2008) (Entered: 04/15/2008)
04/29/2008	<u>311</u>	Letter from Marcos L. Musquez re mail. (sv, COURT STAFF) (Filed on 4/29/2008) (Entered: 04/30/2008)

PROOF OF SERVICE / Certificate of Service

I, Pete Pearson declare:

I am, and was at the time of the service hereinafter mentioned, over the age of 18 years and not a party of the above-entitled cause. My (residence or business) address is

885 N. San Pedro St
San Jose, CA 95130

and I am employed ☒, or resident in, Santa Clara County, California.

On the date of, June 29, 2008 I served the;

Letter to Court Re: CV-01-05966

by depositing a copy of the document(s) in the United States mail at

(location) S.C.C. Jail, (city) San Jose

Santa Clara County, California in a sealed envelope, with postage fully prepaid, addressed as follows:

U.S. District Court
Northern District of California
450 GOLDEN GATE AVE.
San Francisco, CA 94102

Office of County Counsel
County of Santa Clara
70 W. Hedding St., 9th Floor, East Wing
San Jose, CA 95110-1770

At the time of the mailing there was regular delivery of the United States mail between the place of deposit and the place of address.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/29/08

Pete Pearson
(Signature)
Pete Pearson
(Print or typed name)